

MAR 01 2011

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

IN RE COMPLAINT OF
JUDICIAL MISCONDUCT

No. 10-90049

ORDER

KOZINSKI, Chief Judge:

A pro se litigant filed a complaint against a district judge but failed to submit a brief statement of facts. Instead, he filed pages 14 through 16 of an unnamed document, a California state court order and what appears to be a letter to a magistrate judge. Complainant provided no indication that these documents were “prepared specifically for the misconduct proceeding,” as our misconduct procedures require. In re Complaint of Judicial Misconduct, No. 09-90239, 2010 WL 5300813, at *1 (9th Cir. Dec. 28, 2010); see 28 U.S.C. § 351(a). Because complainant “may not submit a document drawn up for another purpose in lieu of [the required] statement,” In re Complaint of Judicial Misconduct, Nos. 09-90276+, 2011 WL 102536, at *1 (9th Cir. Jan. 12, 2011), the documents he did attach to his complaint must be disregarded, see In re Complaint of Judicial Misconduct, No. 09-90239, 2010 WL 5300813, at *2. Complainant was notified that his complaint was incomplete, but did not submit any additional materials. His complaint must be dismissed for failing to allege that the subject judge committed misconduct. See 28 U.S.C. § 352(b)(1)(A)(i), (iii).

DISMISSED.